

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

ACKLEY, JR. et al.

Serial No. 10/695,834

Filed: October 30, 2003

For: METHOD TO PRINT MULTICOLOR IMAGES ON EDIBLE PIECES

Atty. Ref.: 4389-3

TC/A.U.: 2854

Examiner: Ren Luo Yan

\* \* \* \* \*

May 11, 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**TERMINAL DISCLAIMER**

Your petitioners, Ackley Machine Corporation, a corporation having an office and place of business at 1273 N. Church Street, Moorestown, New Jersey 08057, and Mars Incorporated, a corporation having an office and place of business at 6885 Elm Street, McLean, Virginia 22101-3883, represent that they are co-assignees as recorded in assignments at Reel 014670/Frame 0733 and Reel 014670/Frame 0744, respectively, of all right, title and interest in and to Application Serial No. 10/695,834, filed October 30, 2003, for METHOD TO PRINT MULTICOLOR IMAGES ON EDIBLE PIECES.

Your petitioners hereby disclaim the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Application Nos. 09/479,549 and 10/619,571 and hereby agrees that any patent so granted on the above-

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identified application shall be enforceable only for and during such period that the legal title to such patent granted on the above-identified application shall be the same as the legal title to the above-identified Application Nos. 09/479,549 and 10/619,571, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioners do not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of Application Nos. 09/479,549 and 10/619,571 in the event that either later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The evidentiary documents accompanying this document or referred to above have been reviewed by the undersigned and it is certified that to the best of the assignee's knowledge and belief, title is in the assignee seeking to take action.

Check either box 1 or 2 below, as appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further

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that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

NIXON & VANDERHYE P.C.


By: \_\_\_\_\_

  
Paul T. Bowen

Registration No. 38,009

☒ Terminal disclaimer fee under 37 C.F.R. § 1.20(d) included. If missing, the Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140 under Order No. 4398-3. A duplicate copy of this sheet is attached.

I hereby certify that this Terminal Disclaimer is being filed by facsimile on this 11<sup>th</sup> day of May, 2006.

  
Paul T. Bowen, Reg. No. 38,009

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**Nixon & Vanderhye PC**

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***FACSIMILE COVER SHEET***  
**PLEASE DELIVER IMMEDIATELY!!!!**

Our Ref.: 4389-3  
Your Ref.: USSN 10/695,834 Date: May 11, 2006

To: Examiner Ren Yan  
Firm: USPTO - GAU 2854  
Facsimile No.: 1-571-273-2168  
From: Paul T. Bowen

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Julie Krumpelman  
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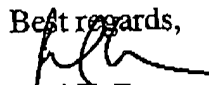
ATTACHMENT/S: Terminal Disclaimer  
USSN 10/695,834 - ACKLEY, JR. et al  
Our Docket: 4389-3

**MESSAGE:**

Dear Examiner Yan,

As requested, attached is the Terminal Disclaimer for the above-identified application.

Best regards,

  
Paul T. Bowen  
Registration No. 38,009

PTB/jck

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